



Certification Limited (Liability) Company

If you are applying for HUB Certification and your business structure is a *Limited (Liability) Company*, please provide the required documentation listed below and return this checklist with your HUB Certification Application.

All **Limited (Liability) Companies** are required to provide clear and legible copies of the documents listed below. Please read each item carefully. The documents identified with a "♦" may not be applicable, and if not, you will be required to respond accordingly on this form.

To assist us in expediting the review of your application and documents, have your documents sorted in the order listed below and use only one item (i.e., binder clip, paper clip, rubber band, bulk staple) to bind your application and documents together.

In accordance with Texas Administrative Code, Title 34, Part 1, Chapter 20, Subchapter B, Section 20.17 (Certification Process), "If requested by the CPA, the applicant must provide any and all materials and information necessary to demonstrate active participation in the control, operation and management of the historically underutilized business." CPA reserves the right to conduct an on-site HUB certification and compliance review to assist in substantiating HUB eligibility prior to granting certification or re-certification and during the tenure of a business' HUB certification.

All information submitted to the Comptroller of Public Accounts (CPA) is subject to the requirements of Texas Government Code, Chapter 552, the Texas Public Information Act. Information submitted in an application for HUB certification is generally protected from public disclosure by Section 552.128 of the Government Code. CPA will protect the information to the extent provided by law.

- ☐ Proof of U.S. citizenship and ethnicity for all eligible applicants. Proof of U.S. citizenship and ethnicity may be in the form of a birth certificate **or** the U.S. Citizenship and Immigration Services' Certificate of Citizenship/Naturalization **or** the Tribal Registration Certificate of an entity recognized by the Bureau of Indian Affairs. (Tribal Registration Certificates are applicable to Native Americans only.)
- ☐ Official photo identification for all eligible applicants. Official photo identification may be in the form of a valid state of Texas Driver License/ID **or** the U.S. Citizenship and Immigration Services' Certificate of Citizenship/Naturalization **or** the Tribal Registration ID Card of an entity recognized by the Bureau of Indian Affairs. (Tribal Registration ID Cards are applicable to Native Americans only.)
- ☐ Proof of Texas residency for all eligible applicants. Proof of Texas residency may be in the form of a valid state of Texas Driver License/ID **or** a valid state of Texas Voter's Registration Card **or** a current state of Texas County Appraisal District's Property (Homestead) Tax Statement.
- ☐ Federal income tax return Form 1120, 1120A or 1120S, including all schedules most recently filed with the Internal Revenue Service (IRS) for the business. If this firm is a new business that has not filed a federal income tax return with the IRS, all eligible applicants are required to:
 - Complete a Limited (Liability) Company Affidavit of Ownership and Business Balance Sheet form (see **Page 16**); and
 - Provide proof of issuance of the federal Employer Identification Number you provided in Item 1, Page 3 of your HUB Certification Application.
- ☐ ♦ Employer's quarterly reports (i.e., Texas Workforce Commission's Form C-3 and C-4) filed for the first, second, third and fourth quarters of the most recent year the business has filed a federal income tax return with the IRS. If not applicable, check here. ☐
- ☐ Articles of Organization/Formation, including amendments verifying that your business is registered with the Secretary of State (SOS).
- ☐ Certificate of Organization/Formation, including amendments issued to the business from the SOS. Note: If your business operates under a name that is different than the name identified in your Articles of Organization/Formation, you will need to provide proof of the name's registration with the SOS.
- ☐ ♦ All membership (stock) interest certificates currently issued to all owners. If not applicable, check here. ☐
- ☐ Current Membership (Stock) Interest Issuance/Transfer Ledger (sample available online at www.window.state.tx.us/procurement/prog/hub/hub-forms/MembershipIssuanceTransferLedger.pdf). Please note that this item is required regardless if the company has issued certificates.
- ☐ Signed minutes of the Board of Directors (Managers) organizational/initial meeting and the Members (Shareholders) organizational/initial meeting.
- ☐ Signed minutes of all the Board of Directors (Managers) meetings and all the Members (Shareholders) meetings held within the last 12 months. The minutes must identify the individuals currently serving on the Board of Directors (as Managers) and serving as officers of the company.
- ☐ Signed Company Regulations, including all amendments.
- ☐ ♦ Signed Membership (Shareholders) Agreement, including all amendments. If not applicable, check here. ☐
- ☐ Current bank signature card **or** a signed letter from the business' banking institution identifying the 1) business name, 2) primary checking account number and 3) all individuals who are recognized as authorized signatures on the account.
- ☐ ♦ Current signed business loan agreements and promissory notes. If not applicable, check here. ☐
- ☐ ♦ Current professional licenses and permits. If not applicable, check here. ☐
- ☐ Current signed business site lease agreement, including amendments and renewals. Note: If you are the owner of the property on which the business operates and there is no formal written lease agreement in effect, you are required to provide a copy of the most current county tax appraisal statement for the property.
- ☐ ♦ Detailed explanation of any other employment and/or business ownership of individuals and business entities with an ownership interest in your business. (Required if you answered yes to "Other Employment" and/or "Other Business Ownership" in Item 1, Page 5 of your HUB Certification Application.) If not applicable, check here. ☐
- ☐ ♦ Detailed explanation if your business or any of its owners have ever been denied certification as a minority- or woman-owned business and/or denied certification as a disadvantaged business enterprise by another organization. (Required if you answered yes to Item 3, Page 5 of your HUB Certification Application.) If not applicable, check here. ☐

If your firm is a new business that has not filed a federal income tax return, you are required to complete the Affidavit on the back of this page. Otherwise, please check Page 17 to confirm your application is complete.



Certification Limited (Liability) Company (Cont'd)

If you are applying for HUB Certification and your *Limited (Liability) Company* has not filed a federal income tax return with the IRS, please fill out this page, sign it and have it notarized.

Limited (Liability) Company Affidavit of Ownership and Business Balance Sheet

State of Texas _____ County of _____

On this day personally appeared _____, who, after being by me duly sworn, upon his/her oath stated as follows:

"My name is _____. I am over 18 years of age and I am fully authorized and competent to make this affidavit. I have personal knowledge of all statements made in this affidavit and all such statements are true, complete and correct."

"I am a member in the limited (liability) company known as _____ ('Company') located at _____. The Company was organized on _____ and my ownership began on _____. I own _____ percent of the Company's interest and I actively participate _____ hours per week in the daily activities of the business operations during the regularly established business hours."

"The Company was created for the purpose of making a profit and I actively participate in the control, operation and management of the Company's affairs. No other person or entity has a beneficial ownership interest, directly or indirectly, in my interest in the Company and neither I nor anyone on my behalf has signed any power of attorney, any proxy, any voting power or other assignment or authorization with respect to my interest in the Company."

"Attached to this affidavit is a true, complete and current copy of the Company's Regulations/Bylaws/Operating Agreement and if applicable, all outstanding certificates of membership/ownership interest accurately stating all members' ownership interest in the Company."

"In considering whether or not I have experienced the effects of being socially and economically disadvantaged, I attest: 1) I have held myself out to be a member of the qualifying group; 2) I have participated in community affairs as a member of the qualifying group; and 3) I am recognized by the population at large as being a member of the qualifying group."

"Additionally, on behalf of the business stated above, I attest that a federal income tax return has not been filed with the Internal Revenue Service for the business and the following balance sheet correctly reflects the current assets, liabilities and equity of the business."

Business Assets (whole dollar)		Business Liabilities (whole dollar)	
Cash on Hand in Banks	\$ _____	Accounts Payable	\$ _____
Savings Accounts	\$ _____	Notes Payable to Banks and Others	\$ _____
Total Assets	\$ _____	Total Liabilities	\$ _____
Net Worth (Total Assets Minus Total Liabilities)		\$ _____	

"Furthermore, in conjunction with submitting the HUB Certification Application and this Affidavit, I agree to provide CPA with a copy of the business' most current federal income tax return filed with the IRS, upon CPA's request (i.e., HUB re-certification, HUB compliance review)."

"I certify as evidence of my signature below, I have read and understand all statements contained here within and that all information I have provided is true and correct."

Printed Name of Eligible Applicant

Signature of Eligible Applicant

Subscribed and sworn to before me, the undersigned notary public, on this _____ day of _____, year _____.

Notary Public's Signature

My Commission Expires (Notary Seal/Stamp)

Important: It is a third degree felony if a person intentionally applies as a HUB for an award of a purchasing contract or public works contract and knows the person does not meet the definition of a HUB. See Tex. Govt. Code Ann. Section 2161.231.

Please check Page 17 to confirm your application is complete.